

# State



STATE OF  
MINNESOTA

# Register

## HIGHLIGHTS:

RECEIVED

OCT 18 1977

- Federal and State Outdoor Recreation Grants  
—Adopted Rules from the State Planning Agency
- Innovative Housing Loan Program  
Proposed Rules from the Housing Finance Agency
- Curriculum Requirements for Architecture Students  
—Proposed Rules from the Board of Architecture, Engineering,  
Land Surveying and Landscape Architecture
- Proposed Rezoning of Northern Capitol Area  
—Notice of Meeting from the Capitol Area Architectural and  
Planning Board
- Mortgage Interest Rate for October, 1977  
—Notice from the Department of Commerce
- St. Paul Metropolitan Wastewater Treatment Plant  
—Notice of Contested Case Hearing from the Pollution Control  
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- Quality and Purity Standards for State Waters  
—Public Opinion Sought by the Pollution Control Agency
- Minimum Rates Charged by the Minnesota Permit Truckers Association  
—Notice of Public Hearing from the Public Service Commission

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# RULES

## Department of Labor and Industry Emergency Temporary Standard Concerning Benzene.

Please take notice that E. I. Malone, Commissioner, Minnesota Department of Labor and Industry, pursuant to authority contained in Minn. Stat. § 182.655, subd. 1 (1976), does this date withdraw and otherwise vacate the emergency temporary standard on Benzene issued July 8, 1977. This action is not intended to affect in any way the existing permanent Benzene standard adopted by the state and published at 29 C.F.R. § 1910.1000.

This Order shall be published in the *State Register*.

Dated this 8th day of September, 1977.

## State Planning Agency Federal and State Outdoor Recreation Grants

The State Planning Agency adopted the temporary rules administering federal and state outdoor recreation grants on August 29, 1977. These rules 6 MCAR § 1.305-1.306, are identical to those printed in the *State Register*, August 1, 1977, Vol. II, No. 4 (2 S.R. 146). The attorney general approved the rules on August 29, 1977 with the following amendments.

### 10 MCAR § 1.305 Athletic court grants program.

#### B. Application procedure.

3. Applications for projects outside of the jurisdiction of the Metropolitan Council shall be

submitted to the Office of Local and Urban Affairs for review under these rules. Applications for projects within the jurisdiction of the Metropolitan Council shall be submitted to the Office of Local and Urban Affairs for review under [[those]] these rules and the Metropolitan Council for their review.

### 10 MCAR § 1.306 A trail grants program.

C. Eligible projects. No project, the construction of which has already commenced or for which a construction contract has already been let, shall be eligible for a grant under this program. Maintenance and operational costs shall be the responsibility of the applicant.

2. Project qualifications. A project must satisfy all of the following qualifications to be eligible for a grant:

[[a. The proposed project is an eligible recreational activity, as specified in the BOR Manual.]]

[[b.]] a. The proposed outdoor recreation activity has been identified as a need in the Minnesota State Comprehensive Outdoor Recreation Plan.

[[c.]] b. The proposed project has been identified as a need in the comprehensive land use planning program or a comprehensive recreation plan of the applicant, county or regional development commission.

[[d.]] c. The proposed project has been identified in the applicant's 5-year action program of recreational activities.

[[e.]] d. The applicant normally has responsibility to supply the types of outdoor recreation facilities and functions contained in the project, or a need can be demonstrated for the applicant to expand its involvement in supplying such recreational opportunities.

**KEY:** Existing rules are printed in standard type face. Proposed additions to existing rules are printed in **boldface**, while proposed deletions from existing rules are printed within [single brackets]. Additions to proposed rules are **underlined and boldfaced**, while deletions from proposed rules are printed within [[double brackets]].

# PROPOSED RULES

## Commissioner of Health and Water and the Wastewater Operators Certification Council Fees for Journeyman Plumbers and for Wastewater Treatment Plant Operators

### Notice of Hearing

Notice is hereby given that a public hearing in the above-entitled matter will be held pursuant to Minn. Stat. § 15.0412 subd. 4 (1976), in the Board Room, Minnesota Department of Health Building, 717 Delaware Street Southeast, Minneapolis, Minnesota, on Monday, October 31, 1977, commencing at 9:00 a.m.

All interested or affected persons will have an opportunity to participate concerning the adoption of the proposed Amendments to Minnesota Rule MHD 139 and WWOB-1(i) captioned above. Statements may be made orally and written material may be submitted. In addition, whether or not an appearance is made at the hearing, written statements or material may be submitted by mail to Steve M. Mihalchik, Hearing Examiner, at Room 300, 1745 University Avenue, Saint Paul, Minnesota 55104, telephone: 612/296-8115, either before the hearing or within five (5) days after the close of the hearing. All such statements will be entered into and become part of the record. Testimony or other evidence to be submitted for consideration should be pertinent to the matter at hand. For those wishing to submit written statements or exhibits, it is requested that at least three (3) copies be furnished. In addition, it is suggested, to save time and avoid duplication, that those persons, organizations, or associations having a common viewpoint or interest in these proceedings join together where possible and present a single statement in behalf of such interests. The conduct of the hearing shall be governed by the rules of the Office of Hearing Examiners.

If adopted, the proposed amendments would impose increased fees for the following:

	Present Fee	Increased Fee
<b>Journeyman Plumbers:</b>	\$ 8.00	\$15.00
<b>Water and Wastewater Operators:</b>		
Application for examination	\$5.00	\$15.00
Issuance of certificate	5.00	15.00

Re-examination resulting from failure to pass an examination	5.00	15.00
Renewal of certificate	5.00	15.00
Re-instatement or reciprocity certificate	10.00	20.00

Copies of the proposed amendments are now available and at least one free copy may be obtained by writing to the Commissioner of Health, 717 Delaware Street Southeast, Minneapolis, Minnesota 55440. Additional copies will be available at the door on the date of the hearing.

A Statement of Need explaining the position of the Commissioner of Health relative to the necessity for the proposed amendments and a Statement of Evidence outlining the testimony and evidence which will be introduced by the Commissioner in support of the proposed amendments will be filed with the Hearing Examiner's Office at least twenty-five (25) days prior to the hearing and will be available there for public inspection. The statutory authority of the Commissioner of Health to promulgate and adopt these rules is contained in Minn. Stat. § 144.122 (1976), and that of the Water and Wastewater Operators Certification Council is contained in Minn. Stat. § 115.77 subd. 1 (1976).

In addition, please be advised that Minn. Stat. ch. 10A requires each lobbyist to register with the State Ethical Practices Board within five (5) days after he commences lobbying. Lobbying includes attempting to influence rulemaking by communicating or urging others to communicate with public officials. A lobbyist is generally any individual who spends more than \$250 per year for lobbying or any individual who is engaged for pay or authorized to spend money by another individual or association and who spends more than \$250 a year or five (5) hours per month for lobbying. The statute provides certain exceptions. Questions should be directed to the Ethical Practices Board, 41 State Office Building, Saint Paul, Minnesota 55155, telephone 612/296-5615.

Paul B. Johnson, Secretary  
Water and Wastewater Operators  
Certification Council  
and  
Warren R. Lawson, M.D.

### Rules as Proposed

MHD 139 Plumbers licenses.

(c) "Any applicant who receives a passing grade on the examination may submit an application for license on forms provided by the State Board of Health. The application shall be accompanied by a fee of ((\$8.00)) **\$15.00** for a journeyman plumbers license or \$40.00 for a master plumbers license."

# PROPOSED RULES

WWOB 1 Water and wastewater operators board.

(i) Schedule of Fees:

(1) Fees for certification shall be as follows:

Application for examination	\$ (( 5.00))	<b>15.00</b>
Issuance of certificate	(( 5.00))	<b>15.00</b>
Re-examination resulting from failure to pass an examination	(( 5.00))	<b>15.00</b>
Renewal of certificate	(( 5.00))	<b>15.00</b>
Reinstatement or reciprocity certificate	((10.00))	<b>20.00</b>

(2) Fees from applicants who are rejected for examination will be returned to them.

Fees from those failing to pass an examination will not be returned.

(3) Where fees are paid by check or money order they shall be made payable to the State Treasurer, State of Minnesota, and submitted to the Department in the case of the water supply system operators or the Agency in the case of wastewater treatment facility operators.

The proposed rules, if adopted, would establish guidelines for the innovative home loan program, as authorized by Laws of 1977, ch. 401, §§ 8 and 18.

A copy of the proposed rules is attached hereto and one additional free copy may be obtained by writing to the Minnesota Housing Finance Agency, First Floor, Hanover Building, 480 Cedar Street, St. Paul, Minnesota, 55101. Additional copies will be available at the door at the date of the hearing. A "statement of need" explaining why the Agency believes the proposed rules are necessary and a "statement of evidence" outlining the testimony which the Agency will introduce will be filed with the Hearing Examiner's Office at least 25 days prior to the hearing and will be available there for public inspection.

In addition, please be advised that Minn. Stat. ch. 10A requires each lobbyist to register with the State Ethical Practices Board within five (5) days after he commences lobbying. Lobbying includes attempting to influence rulemaking by communicating or urging others to communicate with public officials. A lobbyist is generally any individual who spends more than \$250 per year for lobbying or any individual who is engaged for pay or authorized to spend money by another individual or association and who spends more than \$250 a year or five (5) hours per month for lobbying. The statute provides certain exceptions. Questions should be directed to the Ethical Practices Board, 41 State Office Building, Saint Paul, Minnesota 55155, telephone: (612) 296-5615.

James F. Dlugosch  
Executive Director

## Housing Finance Agency Innovative Housing Loan Program

### Notice of Hearing

Notice is hereby given that a public hearing in the above-entitled matter will be held in Conference Room A, Capitol Square Building, on October 28, 1977 commencing at 9:30 a.m. and continuing until all persons have had an opportunity to be heard.

All interested or affected persons will have an opportunity to participate. Statements may be made orally and written materials may be submitted at the hearing or by mail to Steve Mihalchick, Room 300, 1745 University Avenue, St. Paul, Minnesota, 55104 either before the hearing or within 5 working days after the close of the hearing, or 20 days if ordered by the hearing examiner.

### Rules as Proposed

#### Chapter 10: Innovative Housing Loan Program

**MHFA 120 Applications for innovative housing loans. To be eligible to be selected for an Innovative Housing Loan, to be made from the fund established pursuant to Minn. Stat. § 462A.05, subd. 18 and § 462A.21, subd. 9, each applicant must satisfy the following requirements:**

**A. The applicant must be a non-profit entity.**

**B. The project must be located in the State of Minnesota.**

**C. Satisfactory evidence must be presented of the applicant's ability to organize and to complete the project for which the Innovative Housing Loan is requested.**

**KEY:** Existing rules are printed in standard type face. Proposed additions to existing rules are printed in **boldface**, while proposed deletions from existing rules are printed within [single brackets]. Additions to proposed rules are **underlined and boldfaced**, while deletions from proposed rules are printed within [[double brackets]].

## PROPOSED RULES

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D. The project may be a limited-unit development or a multi-unit development, but must be designed for, and intended for occupancy primarily by, Persons and Families of Low or Moderate Income.

E. Satisfactory evidence must be presented that a loan is not otherwise available from private lenders upon reasonable terms and conditions.

F. Satisfactory evidence must be presented that the applicant has or will have the ability to repay the Innovative Housing Loan and to obtain other financing, if need, at the expiration of the term of the Loan.

G. The project must be innovative; that is, it must involve the use of equipment or materials or of a method of design, construction, marketing, or financing which is not generally in use in the housing industry or of which the public is not generally aware.

**MHFA 121 Selection criteria for innovative housing loans. In determining whether or not to accept applications from non-profit entities for Innovative Housing Loans, the Members shall examine the following facts and make their determinations thereon:**

A. The extent to which the project will conserve energy, result in a more efficient use of energy, or employ a source of energy not generally utilized by the housing industry.

B. The extent to which the innovation is likely to be capable of widespread, practical, and economic use.

C. The geographic location of the proposed project within the State of Minnesota, taking into account other projects theretofore approved for Innovative Housing Loans.

D. The period of time required to complete the project.

E. The extent to which the project duplicates, or is in conflict with, other innovations in housing design, methods, or materials.

F. The extent to which the innovation will be capable of being monitored to demonstrate its efficiency, economy, acceptability, effectiveness, and durability.

G. The extent to which the innovation will be capable of and available for demonstration.

H. The amount and term of the requested Innovative Housing Loan, as compared to the total resources of the Agency available for such Loans.

I. Whether the applicable Regional Development Commission has determined that the project is consistent with regional plans and policies.

## Department of Public Welfare Medical Assistance Program

### Notice of Hearing

Notice is hereby given that a public hearing in the above-entitled matter will be held in the State Office Building Auditorium, Wabasha Street (between Aurora and Fuller), St. Paul, Minnesota, on Friday, November 4, 1977, commencing at 9:00 A.M. and continuing until all persons have had an opportunity to be heard.

All interested or affected persons will have an opportunity to participate. Statements may be made orally and written materials may be submitted at the hearing. In addition, written materials may be submitted by mail to Steve Mihalchick, Office of Hearing Examiners, 1745 University Avenue, St. Paul, Minnesota, 55104, (612-296-8112) either before the hearing or within five working days after the public hearing ends, or for a longer period not to exceed 20 days if ordered by the hearing examiner.

Present Rule DPW 47 guides the administration of the Medical Assistance Program in Minnesota. The proposed amendment to Rule DPW 47 pertains to relative responsibility as an eligibility factor under the medical assistance program. The proposed amendment makes an applicant who is separated from his/her spouse eligible for Medical Assistance as a separated individual and excludes him/her from the same income eligibility standards as a couple.

The proposed amendment also makes possible partial support of a spouse while still recognizing that physical separation and expense of maintaining a residence. It does not require a spouse not needing or receiving a benefit to live on a welfare standard. Copies of the proposed rules are now available and one free copy may be obtained by writing to L. Irving Peterson, Department of Public Welfare, Fourth Floor, Centennial Office Building, St. Paul, Minnesota 55155. Additional copies will be available at the door on the date of the hearing. The agency's authority to promulgate the proposed rule is contained in Minn. Stat. § 256B.04 subd. 2 and Laws of 1977 ch. 488. A "statement of need" explaining why the agency feels the proposed rule is necessary and a "statement of evidence" outlining the testimony they will be introducing will be filed with the Hearing Examiners Office at least 25 days prior to the hearing and will be available there for public inspection.

## PROPOSED RULES

Please be advised that Minn. Stat. ch. 10A requires each lobbyist to register with the Ethical Practices Board within five days after he commences lobbying. Lobbying includes attempting to influence rulemaking by communicating or urging others to communicate with public officials. A lobbyist is generally an individual who spends more than \$250 per year for lobbying or any individual who is engaged for pay or authorized to spend money by another individual or association and who spends more than \$250 per year or five hours per month at lobbying. The statute provides certain exceptions. Questions should be directed to the Ethical Practices Board, 41 State Office Building, St. Paul, Minnesota, 55155, phone: 612-296-5615.

Edward J. Dirkswager, Jr.  
Acting Commissioner

### Rule as Proposed

Rule DPW 47 which was published in the *State Register* on September 6, 1977, (2 S.R. 353-381) is unchanged except for the following addition of material at C.5.a.(1)

C. Eligibility factors under the medical assistance program.

5. Relative responsibility. Within the limitations provided by state law and this rule, the spouse of an applicant or the parent of an applicant under 18 years of age shall be charged with the cost of medical services before Medical Assistance shall be available. The local welfare agency shall not withhold, delay or deny Medical Assistance because a responsible relative deemed able to contribute fails or refuses to accept financial responsibility. When the local welfare agency determines that a responsible relative is able to contribute without undue hardship to himself or his immediate family but refuses to contribute, the local welfare agency shall exhaust all available administrative procedures to obtain that relative's contribution. When such procedures fail, the local welfare agency shall consult its county attorney regarding possible legal action.

a. The local welfare agency shall assess the income and resources of an applicant, together with that of his/her spouse, in determining eligibility for Medical Assistance, subject to the following limitations:

(1) If spouses are living separately, the local welfare agency may determine that the marital relationship has experienced a breakdown likely to make spousal support impractical.

(a) Where there is joint ownership of either real or personal property in excess of statutory allowances, the local welfare agency cannot conclude that a total breakdown of the marital relationship has taken place.

(b) In all cases where separation is due to one spouse's need for care in a nursing home or state hospital the following schedule of contributions shall be applied in determining the responsibility of the non-institutionalized spouse for support, out of his/her own income (earned or unearned).

MONTHLY INCOME	CONTRIBUTION/MONTH
\$400 to \$449	\$ 15
\$450 to \$499	\$ 30
\$500 to \$549	\$ 50
\$550 to \$599	\$ 70
\$600 to \$649	\$ 90
\$650 to \$699	\$150
Over \$700	\$150 plus 100% of the excess over \$700

## The Board of Architecture, Engineering, Land Surveying and Landscape Architecture

### Curriculum Requirements for Architecture Students

#### Notice of Hearing

Notice is hereby given that a public hearing in the above entitled matter will be held pursuant to Minn. Stat. §§ 326.06 and 15.0412 (1976), as amended, at the offices of the Board of Architecture, Engineering, Land Surveying and Landscape Architecture, Metro Square Building, Seventh and Robert Streets, Saint Paul, Minnesota, on Friday, November 4, 1977, commencing at 9 a.m. and con-

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# PROPOSED RULES

tinuing until all representatives of associations or other interested groups or persons have had an opportunity to be heard concerning the proposed Amendments. Statements may be made orally and written materials may be submitted at the hearing. In addition, written materials may be submitted by mail to Mr. Peter C. Erickson, c/o Hearing Examiner Office, Room 300, 1745 University Avenue, Saint Paul, Minnesota 55104 either before the hearing or within 20 days after the close of the hearing. All such statements will be entered into and become a part of the record. Testimony or other evidence to be submitted for consideration should be pertinent to the matter at hand.

A copy of the proposed Amendments is attached hereto. Additional copies of the proposed Amendments are now available and may be obtained from the offices of the Board, 5th Floor, Metro Square Building, Saint Paul, Minnesota 55101.

The proposed Amendments would amend Rule AE&LS 9 by requiring, effective January 1, 1979, that an applicant for examination for licensure as an architect be a graduate of an architectural curriculum accredited by the National Architectural Accrediting Board (NAAB) and by deleting the provisions which now permit the Board to examine an applicant whose education, as determined by the Board, is substantially equivalent to the graduate of an accredited curriculum. Conforming changes would be made in other provisions of Rule AE&LS 9.

A Statement of Need setting forth the basis and need for the proposed Amendments and a Statement of Evidence outlining the testimony and evidence to be introduced by the Board in support of the proposed Amendments will be filed with the Hearing Examiner's Office at least twenty-five (25) days prior to the hearing and will be available there for public inspection.

Please be advised that Minn. Stat. ch. 10A, requires each lobbyist to register with the Ethical Practices Board within five days after he commences lobbying. Lobbying includes attempting to influence rulemaking by communicating or urging others to communicate with public officials. A lobbyist is generally any individual who spends more than \$250 per year for lobbying or any individual who is engaged for pay or authorized to spend money by another individual or association and who spends more than \$250 per year or five hours per month at lobbying. The statute provides certain exceptions. Questions should be directed to the Ethical Practices Board, 41 State Office Building, Saint Paul, Minnesota 55155, phone (612) 296-5615.

By Order of the Chairman

BOARD OF ARCHITECTURE, ENGINEERING,  
LAND SURVEYING AND LANDSCAPE  
ARCHITECTURE

By Lowell E. Torseth,  
Executive Secretary  
Board of Architecture, Engineering, Land  
Surveying and Landscape Architecture

## Rules as Proposed

AE&LS 9 Required curriculum for architecture students.

A. Education and experience. An applicant for licensure as an architect shall be required to pass a written examination as provided herein and may be required to appear before the Board for an oral examination for the purpose of verifying personal experience qualifications. To qualify for admission to such written examination, applicants shall present satisfactory evidence that they have:

1. Graduated from an architectural curriculum accredited by the National Architectural Accrediting Board (NAAB) at the time of their graduation or within two years subsequent to that graduation.

\*2. Completed at least three (3) years of satisfactory professional experience after graduation under the supervision of licensed architects. **Experience shall be credited as provided in Table III.**

3. Applicants may also qualify for admission to the examination provided that they submit to the Board satisfactory evidence of education and subsequent experience substantially equivalent to the above requirements and as set forth in Table I. The basis for determination of educational qualifications and equivalents are set forth in Table II. The basis for determination of experience qualifications and equivalents are set forth in Table III; **provided, that the provisions of this Rule 9 A. 3. shall terminate effective January 1, 1979, except that the provisions of Table III — Experience Criteria — shall continue to be applicable pursuant to subparagraph 2. hereof.**

TABLE I — EDUCATION AND EXPERIENCE

Description	Professional Education Max. (yrs.)	Professional Experience Min. (yrs.)	Total Education and Experience
1. **Graduate of Accredited Architectural School . . . . .	5	*3	8
2. Graduate of accredited Architectural Engineering School			
5-year Course . . . . .	5	*4	9
4-year Course . . . . .	4	*5	9

# PROPOSED RULES

3. Graduate of Non-Ac-credited Architectural or Architectural Engineering School			
5-year Course . . . . .	5	*5	10
4-year Course . . . . .	4	*6	10
4. Non-School Trained			
Applicant . . . . .	0	13	13

\*Professional experience must be acquired after graduation except that continuous experience gained before graduation will be evaluated by the Board. An applicant with qualified experience will be granted full credit for such experience, not to exceed a total of one (1) year. The remaining experience shall be after graduation. No credit will be given to architectural students for experience gained during summer vacations.  
 \*\*Accredited by the National Architectural Accrediting Board.]

(Delete effective January 1, 1979).

TABLE II — EDUCATIONAL CRITERIA

Education Category	1st 2 yrs.	Succeeding Years	Maximum Credit Allowed
1. First professional degree in architecture, or credits, where the degree program has been accredited by NAAB not later than two years after termination of enrollment.	75%	100%	5 yrs.
2. First professional degree in architecture, or credits, where the degree program has not been accredited by NAAB.	75%	100%	4½ yrs.
3. Bachelor of architectural engineering degree, or credits, accredited by Engineers' Council for Professional Development (ECPD)	50%	100%	4 yrs.
4. Bachelor of architectural engineering degree, or credits, not accredited by ECPD.	50%	75%	3¼ yrs.
5. Degree, or credits, in civil, mechanical, or electrical engineering accredited by ECPD.	50%	100%	3 yrs.
6. Degree, or credits, in civil, mechanical, or electrical engineering not accredited by ECPD.	50%	75%	2½ yrs.
7. Degree, or credits, in courses (university, college, Jr. college, technical school, etc.) other than architecture	50%	50%	2 yrs.

Substitution of education listed in Table II for requirements for admission to NCARB Qualifying Examination shall be subject to the following conditions:

**KEY:** Existing rules are printed in standard type face. Proposed additions to existing rules are printed in **boldface**, while proposed deletions from existing rules are printed within [single brackets]. Additions to proposed rules are **underlined and boldfaced**, while deletions from proposed rules are printed within [[double brackets]].

a. 32 semester credit hours or 48 quarter hours is considered to be one year. Fractions equal to, or greater than, one-half year will be counted one-half year and smaller fractions will not be counted.

b. An applicant working full time and simultaneously earning formal education credits from a college and university through evening or part-time courses will be allowed credit, prorated between education and training.

c. When credits are submitted from more than one college or university, they will be evaluated on the same basis as by the school last attended.

d. Credits from a foreign college or university may be evaluated by a faculty representative, School of Architecture, University of Minnesota on the same basis as candidates for B. Arch degree from the University of Minnesota. Any cost of translation or evaluation must be borne by the applicant. Credits for foreign architectural degrees may be granted in categories 1 or 2 in Table II, as determined by the Board.

e. For non-graduates, each year of approved, architectural education successfully completed at the college level, is deemed equivalent to two (2) years of experience. (Minimum total — 13 years.)]

(Delete effective January 1, 1979).

TABLE [III] I — EXPERIENCE CRITERIA

	Credit Allowed	Maximum Credit Allowed
1. Experience as an employee under the direct supervision of a licensed architect.	100%	no limit
2. Practical training of more than three continuous months, prior to acquisition of an architectural degree, in offices of licensed architects.	100%	1 year
3. Master or PhD degree in architecture, or credits, except where the degree is the first professional degree.	100%	1 year
4. Teaching or research in NAAB accredited architectural curriculum.	100%	1 year
5. Employment by government agencies, consulting engineers, general contractors, interior designers, landscape architects, or city planners, in areas directly related to construction, and those self-employed in one of the above. Such experience not under the direct supervision of a licensed architect.	50%	2 years

# PROPOSED RULES

6. Employment by government agencies, including the military, when diversified and comparable to employment in the office of a licensed architect practicing as a principal, such work is directly related to architectural work, in a recognized training program and under the direct supervision of a licensed architect employed in the capacity of manager of the agency's architectural activities.	100%	no limit
7. Same as "6" above except experience is not structured.	50%	2 years
8. Employment by organizations that have employees performing architectural services in connection with projects used or owned by that organization, said employment is directly related to architectural work, is diversified and under the direct supervision of a licensed architect employed in the capacity of manager of the organization's architectural activities.	100%	no limit
9. Same as "8" above except where services are limited to prototype projects.	50%	2 years

Substitution of experience listed in Table III shall be subject to the following conditions:

- a. No training prior to graduation from high school will be accepted.
- b. A minimum of one year of training earned in offices of licensed architects practicing as principals may be required at the discretion of the Board.
- c. One year of teaching is considered to be total teaching load of 20 semester credit hours or 30 quarter credit hours.
- d. When training is earned by work with such agencies as VISTA, Peace Corps and advocacy planning, the applicant shall submit a statement with the application outlining briefly, but concisely, duties for which responsible and the names and professional status of supervisory personnel. For credits to be granted under this category, training must be in areas directly related to the practice of architecture.

**(Renumber to Table I effective January 1, 1979).**

**B. Application.** An applicant may request to be admitted to an examination if such applicant has completed, [or is

within six months of completing,] **or will have completed by the time of the examination** educational and experience requirements contained herein. [Any applicant lacking up to six months of qualifying architectural experience at the time of successful completion of the registration examination may not be licensed until such experience requirements have been met.]

## C. Written examination.

1. NCARB Mark Series Professional Examination. Administered once annually during the month of December in the format provided by the National Council of Architectural Registration Boards to those applicants approved by the Board for admission to the examination at a time and place as determined by the Board. Qualification requirements for admission to the Professional Examination include a degree from an architectural curriculum accredited by the National Architectural Accrediting Board, at least three years of diversified qualifying architectural experience [and/or successful completion of the NCARB Qualifying Examination]. Any person failing one or more parts of the Professional Examination must retake the entire examination.

[2. NCARB Qualifying Examination. Administered once annually during the month of June in the format provided by the National Council of Architectural Registration Boards to those applicants approved by the Board for admission to the examination at a time and place as determined by the Board. Qualification requirements for admission to the Qualifying Examination include 12 years of combined architectural education and experience as provided in Tables I, II, and III herein. Any person failing one or more parts of the Qualifying Examination must retake the failed parts.]

**Effective January 1, 1979.**

[3] **2.** Handbooks, tables, reference books and hand-held electronic calculators may be used when authorized by the Board.

Effective January 1, 1979.

# OFFICIAL NOTICES

## Ethical Practices Board Faculty Hiring at Metropolitan State University

State University Board  
407 Capitol Square Building  
550 Cedar Street  
St. Paul, Minnesota 55101

August 26, 1977

Mr. B. Allen Clutter III  
Executive Director  
State Ethical Practices Board  
41 State Office Building  
St. Paul, Minnesota 55155

Dear Mr. Clutter:

Pursuant to the provisions of Minn. Stat. § 10A.02, subd. 12, I request that the Board issue an advisory opinion regarding the effects of §§ 10A.01 to 10A.34 on the following set of facts.

I have served on the State University Board for the past six years and continue to do so; at its May, 1977, meeting, the Board elected me as its president. In connection with this appointment, I routinely file a Statement of Economic Interest with the State Ethical Practices Board. A copy of my most recent statement is enclosed.

The State University Board is created pursuant to Minn. Stat. §§ 136.01 to 136.57, and has rule-making authority in accordance with ch. 15. The Board has as its responsibility the educational management, supervision and control of the seven State Universities, including Metropolitan State University. The Board has appointed university presidents to act as the chief executive officers of the respective universities and has delegated to them the responsibility for appointing and removing personnel.

Metropolitan State University utilizes individuals identified as "Community Faculty" in providing its educational program. Community faculty are selected and employed by the president of the university utilizing the "Contractual (non-state employee) Services", Adm. Form 1051 (copy attached for your information). Community faculty serve on an "on-call" basis providing services in their area of expertise as needed. Payment for services so rendered is, of course, subject to satisfactory performance as determined by the State's authorized agent. The authorized agent in the case of community faculty is the Director of Administrative Services of the University.

No member of the University Board signs the contract and, as a general rule, the Board does not become involved in the supervision of any Form 1051 contracts. The Board as a whole may, however, reassume any authority delegated to its administrative officers, including the supervision of contracted services.

At the present time, my spouse is considering accepting a contract as a community faculty member consistent with the description set out above. Her individual contract would be budgeted by Metropolitan State University for a maximum of \$3,000. I therefore request an advisory opinion to determine whether a conflict of interest or potential conflict of interest exists and, if so, whether there is any action I might take, such as filing a statement with the University Board, pursuant to section 10A.07, which would permit my spouse to accept the contract.

Thank you for your consideration. If you need any additional information regarding this matter, please feel free to contact me at:

H. & Val J. Rothschild, Inc.  
410 Degree of Honor Building  
St. Paul, MN 55101  
(612) 224-4651

or:

Charles T. Mottl  
Special Assistant Attorney General  
303 Capitol Square Building  
550 Cedar Street  
St. Paul, MN 55101  
(612) 296-3854

Very truly yours,

Kennon V. Rothchild  
President, State University Board

## Announcement of New Publications

The Ethical Practices Board announces the issuance of the following publications which are available, prepaid, at

Documents Section  
140 Centennial Bldg.  
St. Paul, Minn. 55155

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## OFFICIAL NOTICES

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### Notice of Intent to Solicit Outside Opinion on Rules Governing Registration and Disbursement Reporting of Lobbyists

Notice is hereby given that the Minnesota Ethical Practices Board is seeking information or opinions from sources outside the Ethical Practices Board in proposing to prepare amendments to rules for lobbyist registration and reporting, Chapter three, EC 200-EC 212.

All interested parties desiring to submit data or views relating to the existing EC Rules 200-212, or to propose additional rules related to lobbyist registration and reporting should address their comments (either written or oral) to B. Allen Clutter, Executive Director, Minnesota Ethical Practices Board, 41 State Office Building, St. Paul, Minnesota 55155, telephone (612) 296-5148. Evidence submitted for consideration should be pertinent to the matter of lobbyist registration or reporting. Any material received by the Ethical Practices Board will become part of the hearing record, if amendments to rules are proposed.

Comments or materials should be received not later than October 31, 1977.

### Capitol Area Architectural and Planning Board

#### Notice of Meeting on the Proposed Rezoning of Northern Capitol Area

The Capitol Area Architectural and Planning Board will meet on Friday, November 4, 1977, at 2:00 p.m., to take action on the proposed rezoning of a two-block area in St. Paul's North Capitol Area, from Residential to Local Business District designation. The two blocks are bounded by Como Avenue on the north, Park Street on the east, Sherburne Avenue on the south, and Rice Street on the West.

The meeting will be held at 2:00 p.m. on Friday, November 4, 1977, in Room 123 of the State Capitol. For further information, please call or write the Capitol Area Architectural and Planning Board, Room 400 S.W., State Office Building, St. Paul, Minnesota 55155, telephone (612) 296-7138.

### Department of Commerce Banking Division

#### Mortgage Interest Rate for October, 1977

Notice is hereby given that the Banking Division, Department of Commerce, State of Minnesota, pursuant to Minn. Stat. § 47.20, the Conventional Home Loan Assistance and Protection Act, as amended by Laws of 1977, ch. 350, hereby determines that the maximum lawful rate of interest for home mortgages for the month of October, 1977, is nine (9.00) percent.

Robert A. Mampel  
Commissioner of Banks

### Duluth Ambulance Service Application Filed with the Commissioner of Health

Notice is hereby given that on September 2, 1977, Duluth Med-A-Van filed application with Warren R. Lawson, M.D., Commissioner of Health, for a license to operate a (an) emergency/nonemergency ambulance service with a base of operation in Duluth, Minnesota. This notice is made pursuant to Minn. Stat. § 144.802 (Supp. 1977). Please be advised that Subdivision 2 of that statute states, in part: The Commissioner may grant or deny the license 30 days after notice of the filing has been fully published. If the commissioner receives a written objection to the application from any person within 20 days of the notice having been fully published, the license shall be granted or denied only after a contested case hearing has been conducted on the application. The commissioner may elect to hold a contested case hearing if no objections to the application are received. If a timely objection is not received, the commissioner may grant or deny the requested license based upon the information contained in the license application. If licensure is denied without hearing, the applicant, within 30 days after receiving notice of denial, may request and shall be granted a contested case hearing upon the application, at which hearing all issues will be heard de novo. Any objections to this service, pursuant to Minn. Stat. § 144.802 (Supp. 1977) may be made in writing to Warren R. Lawson, M.D., within the time period outlined by statute.

Notice is hereby further given that the Commissioner of Health has determined that a contested case hearing shall be held to determine whether the public convenience and necessity require the above-referenced proposed ambulance service.

This proceeding has been initiated pursuant to and in satisfaction of the requirements of Minn. Stat. § 144.802 and pursuant to the Administrative Procedure Act and the Rules

## OFFICIAL NOTICES

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for Contested Cases of the Office of Hearing Examiners, Minnesota Rules HE 201-222.

1. It is ordered and notice is hereby given that a hearing will be held on this matter at the St. Louis County Board Room, Courthouse, Duluth, Minnesota 55801, on November 1, 1977 commencing at 10:00 A.M. All interested persons are hereby urged to attend. Failure to do so may affect your rights in this matter. The issues to be determined are whether the public convenience and necessity require the above-referenced proposed ambulance service and whether or not an Ambulance Service license should be granted to this Service.

2. Mr. Steve Mihalchick, Minnesota Office of Hearing Examiners, Room 300, 1745 University Avenue, Saint Paul, Minnesota 55104 (telephone: 612/296-8100) will preside at this hearing.

3. Any party will be given opportunity to be heard orally, to present witnesses and to submit evidence, written data, statements or arguments in these proceedings. The hearing and the decision will be controlled by the Administrative Procedure Act and the Rules of the Minnesota Office of Hearing Examiners, HE 201-222. The Commissioner of Health will request that the Chief Hearing Examiner assign a court reporter to transcribe the testimony taken at the hearing.

4. The Hearing Examiner may hear testimony and receive exhibits from any person at the hearing, or allow a person to note his appearance, but no person shall become, or be deemed to have become, a party by reason of such participation.

5. All parties are hereby informed of their right to be represented by counsel in these proceedings.

6. William G. Miller, Special Assistant Attorney General, 232 Minnesota Health Department Building 717 Delaware Street Southeast, Minneapolis, Minnesota 55440 (telephone: 612/296-5500), or Lois Des Parte, Section of Emergency Medical Services, Minnesota Department of Health, 717 Delaware Street Southeast, Minneapolis, Minnesota 55440 (telephone: 612/296-5281), may be contacted for further information on this matter, for discovery pursuant to HE 214, or for an explanation of the process by which one can intervene as a party in this matter.

## Department of Education

### Notice of Intent to Solicit Outside Opinion on Rules Governing Uniform Financial Accounting and Reporting Standards

The Department of Education is drafting rules to implement those parts of Laws of 1977, ch. 447, article VII which

change or add to the rules relating to uniform financial accounting and reporting standards. Specifically Section 5 changes the manner of amending such standards, Section 7 requires budget approvals by July 1 of each year for expenditure-authorization purposes, Section 8 restricts certain permanent transfers and Section 4 to 14 contain clarification language.

The Department invites interested persons or groups to provide information, comment, and advice on the subject in writing or orally, to Leo A. Bernat, Chairman, Rules Committee, Advisory Council on Uniform Financial Accounting and Reporting Standards, 736 Capitol Square Building, 550 Cedar Street, St. Paul, MN 55101.

All material received by November 17 will be considered by the Advisory Council. All written statements will be made part of the public hearing record.

## Pollution Control Agency

### Notice of Contested Case Hearing Concerning the Metropolitan Wastewater Treatment Plant in St. Paul

It is Hereby Ordered, and Notice is hereby given that a contested case hearing concerning the above-entitled matter will be held at the Minnesota Pollution Control Agency Board Room located at 1935 West County Road B2, Roseville, Minnesota commencing at 9:30 a.m. on Wednesday, November 2, 1977 and continuing until closed by the Hearing Examiner. For the purpose of taking testimony from the public pursuant to Minnesota Rule HE 210(e) a session of the public hearing also will be held at Wabasha, Minnesota in the Wabasha Public Library, 168 Alleghany, commencing at 2:00 p.m. and again at 7:00 p.m. on November 7, 1977.

A prehearing conference will be held on September 30, 1977 at 9:00 a.m. at the Minnesota Pollution Control Agency Board Room located at 1935 West County Road B2, Roseville, Minnesota. The purpose of the prehearing conference is to identify specific issues for hearing, identify the parties to the hearing, establish a timetable for exchange of written testimony and other discovery, and to schedule any other preliminary proceeding which may be necessary. All parties and those who intend to participate as parties in the hearing are advised to attend.

The hearing will be held before Duane Harves, Chief Hearing Examiner or his appointed designee, Office of Hearing Examiners, Room 300, 1745 University Avenue, St. Paul, Minnesota telephone (612) 296-8100. All parties have the right to be represented by legal counsel or any other representative of their choice throughout the contested

## OFFICIAL NOTICES

case proceeding. The hearing will be conducted pursuant to the contested case procedures set out in Minn. Stat. § 15.0411 through Minn. Stat. § 15.052 and HE 201 through 222. Questions concerning the issues raised in this Order or concerning informal disposition or discovery may be directed to Special Assistant Attorney General William P. Donohue, Minnesota Pollution Control Agency, 1935 West County Road B2, Roseville, Minnesota telephone (612) 296-7345.

The purpose of the hearing is to receive and review testimony, evidence, and argument relating to the terms and conditions of the above referenced permits. The permits are for the metropolitan wastewater treatment plant which treats a substantial portion of the industrial and domestic sewage from the Minneapolis-St. Paul area and discharges to the Mississippi River. This facility is owned and operated by the Metropolitan Waste Control Commission and the Metropolitan Council. The permits are proposed for issuance pursuant to Minn. Stat. § 115.03 and § 115.07 (1976).

Any person may petition to Intervene as a party to the hearing in accordance with Hearing Examiner Rule 210. All such petitions shall be submitted to the Hearing Examiner no later than October 15, 1977, except upon a showing of good cause for later intervention.

Persons who do not wish to become parties may participate in the hearing, in the discretion of the Hearing Examiner, by giving testimony and offering exhibits. However, persons not admitted as parties will not be allowed to cross examine witnesses, present argument, file written briefs, or exercise those rights normally incident to party status.

All parties are advised that if a party intends to appear at the hearing the Notice of Appearance form enclosed with this order must be completed and returned to the Hearing Examiner at least 10 days before the hearing date. Should a party fail to appear at the hearing, the permits described herein may be issued as proposed.

The above cited procedural rules are available at the Office of Hearing Examiners or may be purchased from the Documents Section of the Department of Administration, 140 Centennial Building, St. Paul, Minnesota 55155 (296-2874). They provide generally for the procedural rights of the parties including: rights to advance notice of witnesses and evidence, right to a prehearing conference, rights to present evidence and cross examine witnesses, and right to purchase a record or transcript. Parties are entitled to issuance of subpoenas to compel witnesses to attend and produce documents and other evidence.

Persons attending the hearing should bring all evidence bearing on the case including any records or other documents.

If persons have good reason for requesting a delay of the hearing, the request must be made in writing to the Hearing Examiner at least 5 days prior to the hearing. A copy of the request must be served on the Agency and any other parties.

Sandra S. Gardebring  
Executive Director

Joseph Grinnell  
Chairman

### Notice of Intent to Solicit Outside Opinion on Proposed Rules Revising Quality and Purity Standards for State Waters

Notice is hereby given that the Minnesota Pollution Control Agency is considering proposed rules establishing revised classifications of all waters of the state and revised standards of quality and purity therefor. The proposed rules, if adopted, would supercede the following existing regulations:

- 1) Minn. Reg. WPC 2 and 3
- 2) Minn. Reg. WPC 5-21, inclusive
- 3) Minn. Reg. WPC 23-26, inclusive
- 4) Minn. Reg. WPC 29
- 5) Minn. Reg. WPC 31 and 32

The proposed rules, if adopted, would also amend Minnesota Rules WPC 22 and 34.

In order to adequately determine the nature and utility of such rules, the Minnesota Pollution Control Agency hereby requests information and comments from all interested persons or groups concerning the subject matter of the proposed rules.

Copies of an information package on water quality standards revision are available for review and comment. The material contained in this package is a working proposal, formulated to facilitate the review of possible revisions to water quality standards. One free copy may be obtained by writing to the following address:

Mr. William H. Anderl  
Minnesota Pollution Control Agency  
Division of Water Quality  
1935 West County Road B-2  
Roseville, Minnesota 55113

All interested or affected persons or groups are requested

## OFFICIAL NOTICES

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to participate. Statements of information and comment may be made orally or in writing. Written statements of information and comment may be addressed to the above address.

Oral statements of information and comment will be received during regular business hours over the telephone at (612) 296-7250, and in person at the above address.

All statements of information and comment must be received by October 31, 1977. Any written material received by the Agency shall become part of the hearing record.

## Public Service Commission

### Public Hearing on Minimum Rates Charged by the Minnesota Permit Truckers Association

Notice is hereby given that the Public Service Commission has scheduled a public hearing before Hearing Examiner Leonard Nelson on Tuesday, November 1, and Wednesday, November 2, 1977 at 9:30 a.m. in the Large Hearing Room on the 7th Floor of the American Center Building, 160 East Kellogg Boulevard, St. Paul in the matter of the complaint/petition by the Minnesota Permit Truckers Association for an investigation and order of the Commission requesting increased minimum rates applicable to grain and general commodity products. Further information regarding the complaint/petition, intervention procedure, etc. may be obtained by writing the Public Service Commission at the above address or telephoning (612) 296-2349.

STATE OF MINNESOTA  
OFFICE OF THE STATE REGISTER

95 Sherburne, Suite 203  
St. Paul, Minnesota 55103  
(612) 296-8239

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